



JUL 20 2002

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

Leon S. Blatt

(Name of Plaintiff)

vs.

City of Seattle;
Arthur Wallenstein;
Mark Sidran,
Jean Rietschel;
Fred Bonner;
A. Rains;
Jane Doe Halpert

(Names of Defendants)

CIVIL RIGHTS COMPLAINT
BY A PRISONER UNDER 42
U.S.C. § 1983

I. Previous Lawsuits

A. Have you brought any other lawsuits in any federal court in the United States while a prisoner

☐ Yes ☐ No

B. If your answer to A is yes, how many?: _____ Describe the lawsuit in the space below (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper using the same outline.)

1 Parties to this previous lawsuit:

Plaintiff _____

Defendants _____



CV 02-01460 #00000005

2 Court (give name of District) _____

3. Docket Number _____

4. Name of judge to whom case was assigned _____

5. Disposition (For example: Was the case dismissed as frivolous or for failure to state a claim? Was it appealed? Is it still pending?) _____

6. Approximate date of filing lawsuit _____

7. Approximate date of disposition _____

II. Place of Present Confinement _____

A. Is there a prisoner grievance procedure available at this institution? ☐ Yes ☐ No

B Have you filed any grievances concerning the facts relating to this complaint?
☐ Yes ☐ No

If your answer is NO, explain why not _____

C. Is the grievance process completed? ☐ Yes ☐ No

If your answer is YES, ATTACH A COPY OF THE FINAL GRIEVANCE
RESOLUTION for any grievance concerning facts relating to this case.

III Parties to this Complaint

A. Name of Plaintiff _____ Inmate No : _____

Address _____

(In Item B below, place the full name of the defendant, his/her official position, and his/her place of employment. Use item C for the names, positions and places of employment of any additional defendants Attach additional sheets if necessary.)

B Defendant _____; official position _____,
place of employment _____

V Relief

(State briefly exactly what you want the court to do for you Make no legal arguments Cite no cases or statutes)

I declare under penalty of perjury that the foregoing is true and correct

Signed this _____ day of _____, 19_____.

(Signature of Plaintiff)



JUL 20 2002

 AT SEATTLE
 CLERK U.S. DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 BY DEPUTY

 UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF WASHINGTON
 AT SEATTLE

Leon S. Blatt

 v.
 City of Seattle, Arthur Walkenstein
 Jean Rietschel,

CIVIL RIGHTS COMPLAINT

42 USC 1983-1988

28 USC 1331, 1343

STATE OF WASHINGTON }

COUNTY OF KING }

ss: AFFIDAVIT OF LEON S. BLATT May 24, 1999

I, Leon Sabra Blatt, state the following first-hand knowledge facts:

1. On or about October 31, 1998, I was pulled over by police and told to appear in Seattle Municipal Court for driving while license suspended 3° (DWLS III).

2. When my name was called in court, I informed the judge that I was not represented -- neither by an attorney nor by my self -- and that I was not appearing generally but specially, in propria persona, to enter a plea in abatement (demurrer). I asked the court to order my accuser to produce the following:

- a) a valid copy of the charging instrument;
- b) appraisal of the nature and cause of action; and
- c) appointment of assistance of counsel (not representation).

3. ~~The judge (name unknown) refused all of the above without explanation.~~

1 3. The judge (JOHN DOE #1) refused to provide any of the above inform-
2 ation as required by Article VI of the Bill of Rights. The denial was with-
3 explanation or comment. I was allowed to go home without notice to return.

4 4. On December 12, 1999, judge JOHN DOE #1 or #2 acting in concert
5 with his court clerk SLE (according to docket) issued a false order for my
6 arrest for failure to appear after written promise. However, I never sub-
7 mitted a written promise to appear. Nor was I ever given any notice to ap-
8 pear. CrRLJ 2.5.

9 5. On January 1, 1999, police kidnapped me under the fraudulent war-
10 rent. I was taken back to jailer ARTHUR WALLENSTEIN who accepted me from
11 police without verifying the existence or validity of the purported warrant.

12 6. On or about January 4, 1999, I was taken from my cell to judge
13 JUDITH HIGHTOWER. I timely noticed her of the violation of CrRLJ 2.5 and
14 warned her that the court was attempting to proceed without jurisdiction.
15 I again asked the judge to order the prosecutor to provide me with a valid
16 complaint and to be informed of the nature and cause of action. The judge
17 ignored me.

18 7. I asked the prosecutor ROBERT MURASHIGE for the same, but he ignored
19 me as well. My demands were timely, clear, direct, and repeated. I asked
20 the court to allow me access to law books so that I might find these answers
21 myself. This request was ignored too.

22 8. JUDITH HIGHTOWER demanded extortion in the amount of \$500.00.

23 9. For the next twenty-four days, unable to pay this ransom, I was
24 confined and denied access to law books by ARTHUR WALLENSTEIN.

25 10. While confined, I sent ARTHUR WALLENSTEIN'S staff over a dozen
26 written messages ("kites") requesting legal materials so that I might be
27

1 written messages ("kites") requesting access to legal materials so I could
2 defend myself. My requests were denied.

3 11. On January 25, 1999, assistant prosecutor Michelle Slotemaker and
4 judge ELSIE DURHAM or judge JANE DOE HALPERT had me brought before them.
5 I again noticed the court of the deficiencies, including violations of
6 CrRLJ 2.1 and 3.2.1(e)(1)(i), and that the court was attempting to proceed
7 in the clear absence of jurisdiction. The judge ordered me released "on
8 your own recognizance." When I reminded the court that I had never offered
9 my recognizance, she threatened me with physical violence, saying I had
10 better appear on February 12 or the court would issue another warrant.

11 12. On February 12, 1999, judge JEAN RIETSCHER denied me the due pro-
12 cess demanded in 1. (a-c), refused to allow me to enter a plea (demurrer),
13 refused for acceptance a copy of this complaint (despite JUDITH HIGHTOWER'S
14 directive to "put all communications in writing."), refused to allow me to
15 address the court, and attempted to proceed in the resulting absence of jur-
16 isdiction.

17 13. JEAN RIETSCHER set a court date for February 18, 1999, and ordered
18 me released on my own recognizance. When I reminded RIETSCHER that I had
19 never offered the court my recognizance, she threatened me with physical
20 violence (i.e. issuance of another bogus bench warrant.)

21 14. On February 18, 1999, at 8:30 A.M., I returned to the court and
22 signed in with the clerk. I waited in court all day but my name was never
23 called. I had made my presence known to the judge's clerk, the court clerk,
24 and the prosecutor -- all three said they did not know if or when I would
25 be called. I left at the end of the court day.
26

1 15. On February 19, 1999 (the next day), I was kidnapped by police
2 for "failing to appear on February 18" and falsely imprisoned by ARTHUR
3 WALLENSTEIN again.

4 16. I was brought before judge FRED BONNER. I noticed him of the
5 foregoing in full and his duty to discharge me. FRED BONNER ignored the
6 law and demanded more extortion money, and set another court date.

7 17. When I was bailed out, I immediately began preparing this civil
8 complaint. (I had already filed a claim for damages with the Seattle Office
9 of Risk Management on February 12, 1999.)

10 18. I returned to court on the date FRED BONNER had set, and served
11 him with a draft copy of this civil rights complaint. He set another court
12 date -- April 27 -- and ordered me out of the courtroom.

13 19. On April 27, 1999, I returned to the court with a process server
14 and served FRED BONNER with a copy of a complaint I had filed with the U.S.
15 Attorney. FRED BONNER exploded in anger and had me expelled from the court-
16 room: guards violently grabbed me before I could even gather my papers from
17 the counsel table. They shoved me out the door saying, "Do not go back in
18 there!"

19 20. I re-entered the courtroom immediately to retrieve my papers, but
20 they had been removed and ensconced. I demanded my papers back. After ten
21 minutes FRED BONNER'S clerk returned (from the photocopier?) with my papers.
22 Before leaving, I asked if there was to be another court date. I was ignored.
23 At no time did anyone tell me to return. To the contrary I had been kicked
24 out and told not to return.

25 21. On or about May 18, 1999, I was arrested for failing to appear for
26

1 a hearing FRED BONNER purportedly had set. ARTHUR WALLENSTEIN again falsely
2 imprisoned me without a capias, mittimus papers, warrant, or other authority.

3 22. I was held by ARTHUR WALLENSTEIN, the CITY OF SEATTLE, and FRED
4 BONNER for two more months, being denied access to legal materials.

5 23. FRED BONNER had set a an extortion demand of \$20,950.00 dollars --
6 twenty times beyond the standard range set for DWLS 3° by the CrRLJ.

7 24. Neither Risk Management nor Fred Bonner ever responded to my
8 claims for damages.

9 25. As of May 18, 1999, I was ^{harassed} ~~held~~ for 200 days in violation of
10 State and federal laws and the state and federal constitutions. Local rules
11 require trial within 30 days of arraignment.

12 26. On or about May 20, 1999, I was brought before judge JOHN
13 DOE RAINS who demanded the outrageous \$20,950.00 for my
14 Freedom

15 27. At this hearing, the prosecutor, to support the demand for
16 \$20,950, approached the bench and had an ex parte word with ~~the~~
17 JOHN DOE RAINS. The prosecutor slipped RAINS a secret paper from
18 her/his file. I was not allowed to hear or see it, despite my demands.
19 The file in question was not the official court file - it was the
20 prosecutor's file.

21 28. On June 11, 1999 ~~and on~~ all parties were put on notice
22 by filing this complaint with the court.

23 29. On June 14 they were again noticed.

24 I certify under the penalty of perjury, that the foregoing is
25 true to the best of my knowledge.

26 2/18/02

27 Leon A. Blat

28 AFFIDAVIT OF LEON S. BLAT - 5

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF
WASHINGTON - SEATTLE

Leon Sabra Blatt

~~c/o 4440 Interlake Ave #153~~

~~Seattle, Washington~~

~~non domestic 98103~~



JUL 17 2002

99 FEB 12 PM 3:01

CITY OF SEATTLE

CITY CLERK

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

C02-1460R

CIVIL RIGHTS COMPLAINT

42 USC 1983, 1985, 1986, 1988

28 USC 1343(3), 1331

SEE RELATED CASE: Reported Seattle

Municipal Court cause number 347585

Leon Sabra Blatt,

Plaintiff,

vs

CITY OF SEATTLE (a municipal corporation),

JUDITH HIGHOWER (officially and as a person),

ELSIE DURHAM (officially and as a person),

JEAN RIETSCHER (officially and as a person),

ROBERT MURASHIGE (officially and as a person),

MICHELLE SLOTEMAKER (officially and as a person),

JANE/JOHN DOE #1 (officially and as a person),

JOHN DOE #2 (officially and as a person),

Defendants.

* = The other defendants and the SMC records section
decline to disclose identity of Jane/John Doe #1 despite this plaintiffs
requests

CIVIL RIGHTS COMPLAINT

Leon S. Blatt #29791-086
FDC Seatac, POB 13900
Seattle, WA 98198-1090

INTRODUCTORY STATEMENT

This is an action for damages sustained by the plaintiff and caused by persons, state actors and state officials acting independently and in concert, both jointly and severally in multiple causes of actions, as they operated under color of law with malice in Law and were violative of the Plaintiff's substantive inalienable rights as enumerated in the Bill of Rights articles 4,5,6,9, 13,14, amendments to the Constitution for the united States of America.

The herein described persons/defendants have been compensated, rewarded and unjustly enriched while engaged in violations of state laws, federal laws, federal. Civil Rights Acts and their Oaths of office. The defendants operating under color of state law as a matter of custom and policy, acting in concert, did commit multiple wanton acts either actual or by omission upon the plaintiff. Said deliberate, malicious and unreasonable acts, which are shocking to the conscience of any reasonable person, are perpetrated/committed upon the plaintiff without probable cause, without warrants, without exigent circumstances and they include the following vexatious acts: religious persecution; criminal trespass; kidnapping; unlawful restraint; unlawful and forceful search; unlawful seizure; unlawful imprisonment; malicious prosecution; deprivation of due process; deprivation of liberty; deprivation of private property; deprivation of privacy, involuntary servitude; state torts over which this court has pendant jurisdiction.

Said actual willful, voluntary and knowingly committed crimes against the plaintiff/victim are causing intentional damages consisting of financial loss, physiological and psychological injuries and mental anguish, pain and suffering, loss of friends, family, spousal companionship, loss of sense of welfare, defamation of plaintiffs' honorable character and good reputation and standing in the community.

The persons/defendants knew or should have known they were violating their oaths of office, acting outside the scope and purview

1 of clearly established Law, with wanton deprivation and disregard of
 2 the plaintiff's rights of liberty, welfare, right of property, and the
 3 peaceful enjoyments of its use. The defendants knew or should have
 4 known that their wanton acts and omissions would cause damages of a
 5 great magnitude to the plaintiff/victim. The defendants have caused
 6 the Plaintiff to suffer and the plaintiff continues to suffer.

7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

STATEMENT OF FACTS

1. On or about December 12, 1998, defendant Jane/John Doe #1
 2 unlawfully and violently stalked the plaintiff by ordering the court
 3 clerk of the Seattle Municipal Court, defendant "SLE." according to docket
 4 to cause to be issued a capias falsely purporting to be a valid bench
 5 warrant for the capture of the plaintiff herein. The two defendants
 6 knew or should have known that a valid capias could not issue unless
 7 "the defendant has promised in writing to appear" or "has otherwise
 8 received notice to appear" as clearly spelled out in rule CrRLJ 2.5,
 9 and that the plaintiff herein neither promised nor received notice to
 10 appear anywhere.

2. On January 1, 1999, the plaintiff herein was violently
 3 kidnapped under the fraudulent capias. He was abducted from his car
 4 and put in chains at his wrists and humiliated in public. He was
 5 locked in a cage and denied sleep for nearly 24 hours.

3. On or about January 4, 1999, the plaintiff herein was taken by
 4 force before judge Judith Hightower. He timely noticed defendant
 5 Hightower of the violation of CrRLJ 2.5 and informed her that willful
 6 denial of due process would give rise to this lawsuit. The plaintiff
 7 herein demanded to be discharged. Defendant Hightower elected to
 8 ignore notice and proceed without jurisdiction.

4. Defendant assistant prosecutor Robert Murashige conspired
 5 with defendant Hightower to deny due process rights to the Plaintiff
 6 herein by proceeding in a criminal prosecution without providing the
 7 alleged accused with a criminal complaint and keeping from him
 8 information on the nature and cause of action. Hightower ignored the
 9 accused's clear, direct and repeated demands for basic information on

the nature and cause of action of the ostensible action against him. Ignored/denied were the accused's request that the prosecutor disclose the type of jurisdiction under which the purported action had been brought. Ignored/denied were the accused's demand to be allowed meaningful access to law library material so that he may educate himself on the said nature and cause. Violation of CrRLJ 3 2.1 (e)(1)(i): "shall orally inform the accused of the nature..." L.S.B.

5. Plaintiff was held hostage on a \$500.00 ransom demand for 24 days. During this time he sent multiple notes to his captors and to the Seattle Municipal Court requesting law library materials. Please see attached copies of those communications, marked as Exhibit A.

6. On January 25, 1999, defendants judge Elsie Durham and assistant prosecutor Michelle Slotemaker were noticed by the plaintiff herein of the courts' violation of CrRLJ 2.5, latches and that due process requirements precluded the prosecutor from proceeding against the accused. They knew or should have known that they were violating clearly established law. Defendant Durham falsely appointed a public defender to speak for the plaintiff herein against his expressed objections. She also refused to disclose nature of action.

7. On February 12, 1999, defendant judge Jean Rietschel joined the above-listed defendants in this action by the following acts: 1. Refused this plaintiff's request to be allowed to enter a plea; denver;

Speak as himself without representation; to accept receipt for filing into the court record a copy of this complaint with affidavit and written plea. This despite defendant Hightower's directive to put all communications in writing. 2. Proceeded in absence of jurisdiction.

8. On , 1999, defendant prosecutor joined the above-listed defendants in this action by the following acts:

NOT APPLICABLE AT THIS TIME

8. On or about July 18, 1999, another unknown SMC judge issued a capias in violation of CrR 2.5, resulting in this plaintiff's arrest and false imprisonment on or about July 19, 1999 (The next day)

9. Plaintiff was deprived of substantive constitutionally protected and inalienable rights (i.e. amendments 4, 5, 6, 13 and 14 to the constitution for the united States of America).

10. Plaintiff has been damaged and injured by the defendants.

11. Defendants have violated their oaths of office

12. Defendants have violated the federal and state constitutions and the provisions of their job descriptions.

FEDERAL CAUSES OF ACTION

1. Leon Blatt was searched in violation of the fourth article of amendment.

2. Leon Blatt was seized in violation of the fourth article.

3. Leon Blatt was seized in violation of the fifth article.

4. Leon Blatt was imprisoned in violation of the fifth article.

5. Leon Blatt was forced under a condition of peonage for failing to surrender a right in exchange for a privilege in violation of the thirteenth. *(Right to travel in an automobile for privilege of operating a motor vehicle)*

6. Leon Blatt was imprisoned in violation of the fourteenth.

7. Leon Blatt was denied knowledge of nature of action against him in violation of the sixth, and 14th.

8. Leon Blatt's property was searched in violation of the fourth.

9. Leon Blatt's property was seized in violation of the fourth

10. Leon Blatt's property was searched in violation of the fourteenth, and Fourth.

All of the above through the Fourteenth.

CONCLUSION

The Plaintiff/victim is entitled to a reasonable expectation that he has the right to enjoy his privacy, to own private property, to travel freely as long as he doesn't hurt another or deprive another of rights or property, to the pursuit of happiness, and the blessings of liberty, that his person and private property be secure from unlawful search and seizure, that he has the right of welfare, and self-determination, that he has the right to receive due process, and equal protection of the law. The Plaintiff/victim is owed monetary and other relief for the damages and suffering caused by the defendants.

[prayer]: I demand the following: monetary damages, Attorneys fees, declaratory judgment against all defendants ordering equitable relief in the form of a permanent injunction to abate and desist quasi-judicial and de facto actions and proceedings against the

Plaintiff that would cause deprivation of substantive rights causing irreparable harm.

LEDGER SETTING FORTH MONETARY DAMAGES

The acts of the defendants were criminal in nature and were committed with aggravated circumstances due to their holding of the public trust and in violation of their official oaths. 18 USC 241 prescribes criminal monetary penalties for acts committed in concert with those of other defendants, as these acts were.

The statute values such violations at \$10,000 per count per actor;

The plaintiff/claimant herein was confined unlawfully for 24 days, suffering damages in the amount of \$1,440,000.00.

The undersigned certifies under the penalty of perjury that the foregoing is true, correct, certain, not misleading, and is materially relevant, in Seattle Dated this 12th day of February, 1999

7/11/02 Leon S. Blatt Leon S. Blatt

I, Leon Blatt, hereby certify that the foregoing is true and correct to the best of my knowledge under the penalty of perjury. DONE in Seatac this 11th day of July, 2002, before the undersigned witnesses:

Leon S. Blatt

Leon S. Blatt

Marciano Ellis

Witness #1 signature

Marciano Ellis

Witness #1 print name

Casey Anders

Witness #2 signature

Casey Anders

Witness #2 print name

CRIMINAL RULES

CrRLJ 3.2.1

WHERE A BAIL AMOUNT IS SHOWN, THE BREAKDOWN IS		BAIL	60% PSEA	30% PSEA	TOTAL
480-12-205	Unauthorized Passenger in Vehicle	25	15	7	47
480-12-210	Failure to Display Commission Approved Lease	50	30	15	95
480-12-260	Failure to Display Bill of Lad- ing/Shipping Document	50	30	15	95
480-12-321	Failure to File Log Road Classifi- cation	50	30	15	95
81.90.030	Certificate Required (Mandatory Appearance)				500
81.90.140	Failure to Register Interstate				
480-35-110	Authority	80	48	24	152
480-35-120	Failure to Display Valid Identifi- cation Decal	50	30	15	95

[Amended effective November 17, 1989, September 1, 1991; September 1, 1992; June 25, 1993, May 1, 1994, September 1, 1994.]

RULE 3.2.1 PROCEEDINGS BEFORE THE JUDGE—PROCEDURE FOLLOWING EXECUTION OF A WARRANT, OR ARREST WITHOUT A WARRANT—PROBABLE CAUSE FOR DETERMINATION—BAIL—PRELIMINARY HEARING

(a) **Probable Cause Determination.** A person who is arrested shall have a judicial determination of probable cause no later than 48 hours following the person's arrest, unless probable cause has been determined prior to such arrest.

(b) **How Determined.** The court shall determine probable cause on the sworn testimony of a peace officer or prosecuting authority. The sworn testimony may be by written affidavit or may be electronically or telephonically recorded, and in any case the testimony shall be preserved.

(c) **Court Days.** For the purpose of section (a), Saturday, Sunday and holidays may be considered judicial days.

(d) **Preliminary Appearance.** *is to occur...*

(1) **Adult.** Unless an accused has appeared or will appear before the superior court for a preliminary appearance, any accused detained in jail must be brought before a court of limited jurisdiction as soon as practicable after the detention is commenced, but in any event before the close of business on the next court day.

(2) **Juveniles.** Unless an accused has appeared or will appear before the superior court for a preliminary appearance, any accused in whose case the juvenile court has entered a written order declining jurisdiction and who is detained in custody, must be brought before a court of limited jurisdiction as soon as practicable after the juvenile court order is entered, but in any event before the close of business on the next court day.

(3) **Unavailability.** If an accused is unavailable for

disability, the court may, for good cause shown and recorded by the court, enlarge the time prior to preliminary appearance

(e) **Procedure at Preliminary Appearance.** *(if a judge)*

(1) At the preliminary appearance, the court shall provide for a lawyer pursuant to rule 3.1 and for pretrial release pursuant to rule 3.2, and the court shall orally inform the accused. *(See 11.1)*

(i) of the nature of the charge against the accused;

(ii) of the right to be assisted by a lawyer at every stage of the proceedings; and

(iii) of the right to remain silent, and that anything the accused says may be used against him or her.

(2) If the court finds that release should be denied or that conditions should attach to release on personal recognizance, other than the promise to appear in court at subsequent hearings, the court shall proceed to determine whether probable cause exists to believe that the accused committed the offense charged, unless this determination has previously been made by a court. Before making the determination, the court may consider affidavits filed or sworn testimony and further may examine under oath the affiant and any witnesses he or she may produce. Subject to constitutional limitations, the finding of probable cause may be based on evidence which is hearsay in whole or in part.

(f) **Time Limits.**

(1) Unless a written complaint is filed or the accused consents in writing or on the record in open court, an accused, following a preliminary appearance, shall not be detained in jail or subjected to conditions of release for more than 72 hours after the accused's detention in jail or release on conditions, whichever occurs first. Computation of the 72-hour period shall not include any part of Saturdays, Sundays, or holi-

RULE 2.5 PROCEDURE ON FAILURE TO OBEY CITATION AND NOTICE

The court may order the issuance of a bench warrant for the arrest of any defendant who has failed to appear before the court, either in person or by a lawyer, in answer to a citation and notice, or an order of the court, upon which the defendant has promised a writing to appear, or of which the defendant has otherwise received notice to appear, if the sentence for the offense charged may include confinement in jail. Amended effective September 1, 1991.]

DEFENDANTS

(c) Explaining the Availability of a Lawyer.

(1) When a person has been arrested he or she shall as soon as practicable be advised of the right to a lawyer. Such advice shall be made in words easily understood, and it shall be stated expressly that a person who is unable to pay a lawyer is entitled to have one provided without charge.

(2) At the earliest opportunity a person in custody who desires a lawyer shall be provided access to a telephone, the telephone number of the public defender or official responsible for assigning a lawyer, and any other means necessary to place him or her in communication with a lawyer.

(a) Release in Noncapital Cases. Any person, other than a person charged with a capital offense, shall at the preliminary appearance or reappearance pursuant to rule 3.2.1 be ordered released on the accused's personal recognizance, pending trial unless the court determines that such recognizance will not reasonably assure the accused's appearance, when required, or if there is shown a likely danger that the accused will commit a violent crime, or that the accused will seek to intimidate witnesses, or otherwise unlawfully interfere with the administration of justice. For the purpose of this rule, "violent crimes" may include misdemeanors and gross misdemeanors and are not limited to crimes defined as violent offenses in RCW 9.94A.030. If the court finds that release without bail should be denied or that conditions should attach to the release on personal recognizance, other than the promise to appear for trial, the court shall proceed to determine whether probable cause exists to believe that the accused committed the offense charged, unless this determination has previously been made by a court. Before making the determination, the court may consider any affidavit or affidavits filed or sworn testimony and further may examine under oath the affiant and any witnesses the affiant may produce. The court shall impose the least restrictive of the following conditions that will reasonably assure that the accused will be present for later hearings, will not significantly interfere with the administration of justice and not pose a substantial danger to others or the community or, if no single condition gives that assurance, any combination of the following conditions:

- (1) Place the accused in the custody of a designated person or organization agreeing to supervise the accused;
- (2) Place restrictions on the travel, association, or place of abode of the accused during the period of release;
- (3) Require the execution of an unsecured bond in a specified amount;
- (4) Require the execution of a bond in a specified amount and the deposit in the registry of the court in cash or other security as directed, of a sum not to exceed 10 percent of the amount of the bond, such deposit to be returned upon the performance of the conditions of release or forfeited for violation of any condition of release,

UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF
WASHINGTON - SEATTLE

Leon Sabra Blatt
c/o 4449 Interlake Ave #153
Seattle, Washington
non domestic 98103

Sent
to Fed ct
Friday 7/12/02

99 FEB 12 PM 3:01

CITY CLERK

CITY OF SEATTLE

Leon Sabra Blatt,

Plaintiff,

vs.

CITY OF SEATTLE (a municipal corporation),

JUDITH HIGHTOWER (officially and as a person),

ELSIE DURHAM (officially and as a person),

JEAN RIETSCHEL (officially and as a person),

ROBERT MURASHIGE (officially and as a person),

MICHELLE SLOTEMAKER (officially and as a person),

JANE/JOHN DOE #1 (officially and as a person),

JOHN DOE #2 (officially and as a person),
Defendants.

Case No.

CIVIL RIGHTS COMPLAINT

42 USC 1983, 1985, 1986, 1988

28 USC 1343(3), 1331

SEE RELATED CASE: Purported Seattle
Municipal Court cause number 347585



JUL 20 2002

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

Halpert
Bonner
Rains

* = The other defendants and the SMC records section
decline to disclose identity of Jane/John Doe #1 despite this plaintiffs
requests

INTRODUCTORY STATEMENT

This is an action for damages sustained by the plaintiff and caused by persons, state actors and state officials acting independently and in concert, both jointly and severally in multiple causes of actions, as they operated under color of law with malice in Law and were violative of the Plaintiff's substantive inalienable rights as enumerated in the Bill of Rights articles 4,5,6,9, 13,14, amendments to the Constitution for the united States of America.

The herein described persons/defendants have been compensated, rewarded and unjustly enriched while engaged in violations of state laws, federal laws, federal. Civil Rights Acts and their Oaths of office The defendants operating under color of state law as a matter of custom and policy, acting in concert, did commit multiple wanton acts either actual or by omission upon the plaintiff. Said deliberate, malicious and unreasonable acts, which are shocking to the conscience of any reasonable person, are perpetrated/committed upon the plaintiff without probable cause, without warrants, without exigent circumstances and they include the following vexatious acts: religious persecution, criminal trespass; kidnapping; unlawful restraint; unlawful and forceful search; unlawful seizure; unlawful imprisonment; malicious prosecution; deprivation of due process; deprivation of liberty; deprivation of private property; deprivation of privacy, involuntary servitude; state torts over which this court has pendant jurisdiction.

Said actual willful, voluntary and knowingly committed crimes against the plaintiff/victim are causing intentional damages consisting of financial loss, physiological and psychological injuries and mental anguish, pain and suffering, loss of friends, family, spousal companionship, loss of sense of welfare, defamation of plaintiffs' honorable character and good reputation, and standing in the community.

The persons/defendants knew or should have known they were violating their oaths of office, acting outside the scope and purview

1 of clearly established Law, with wanton deprivation and disregard of
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 3 peaceful enjoyments of its use. The defendants knew or should have
 4 known that their wanton acts and omissions would cause damages of a
 5 great magnitude to the plaintiff/victim. The defendants have caused
 6 the Plaintiff to suffer and the plaintiff continues to suffer.

7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25

STATEMENT OF FACTS

1. On or about December 12, 1998, defendant Jane/John Doe #1
 unlawfully and violently stalked the plaintiff by ordering the court
 clerk of the Seattle Municipal Court, defendant "SLE" according to docket
 to cause to be issued a capias falsely purporting to be a valid bench
 warrant for the capture of the plaintiff herein. The two defendants
 knew or should have known that a valid capias could not issue unless
 "the defendant has promised in writing to appear" or "has otherwise
 received notice to appear" as clearly spelled out in rule CrRLJ 2.5,
 and that the plaintiff herein neither promised nor received notice to
 appear anywhere.

2. On January 1, 1999, the plaintiff herein was violently
 kidnapped under the fraudulent capias. He was abducted from his car
 and put in chains at his wrists and humiliated in public. He was
 locked in a cage and denied sleep for nearly 24 hours.

3. On or about January 4, 1999, the plaintiff herein was taken by
 force before judge Judith Hightower. He timely noticed defendant
 Hightower of the violation of CrRLJ 2.5 and informed her that willful
 denial of due process would give rise to this lawsuit. The plaintiff
 herein demanded to be discharged. Defendant Hightower elected to
 ignore notice and proceed without jurisdiction.

4 Defendant assistant prosecutor Robert Murashige conspired
 with defendant Hightower to deny due process rights to the Plaintiff
 herein by proceeding in a criminal prosecution without providing the
 alleged accused with a criminal complaint and keeping from him
 information on the nature and cause of action. Hightower ignored the
 accused's clear, direct and repeated demands for basic information on

1 the nature and cause of action of the ostensible action against him.
 2 Ignored/denied were the accused's request that the prosecutor disclose
 3 the type of jurisdiction under which the purported action had been
 4 brought. Ignored/denied were the accused's demand to be allowed
 5 meaningful access to law library material so that he may educate
 himself on the said nature and cause. Violation of CrRLJ 3 2.1(e)(1)(i) "shall orally
 inform the accused of the nature.. " LS.B.

6 5. Plaintiff was held hostage on a \$500.00 ransom demand for 24
 7 days. During this time he sent multiple notes to his captors and to
 the Seattle Municipal Court requesting law library materials. Please
 8 see attached copies of those communications, marked as Exhibit A.

9 6. On January 25, 1999, defendants judge Elsie Durham and
 assistant prosecutor Michelle Slatemaker were noticed by the plaintiff
 10 herein of the courts' violation of CrRLJ 2.5, latches and that due
 11 process requirements precluded the prosecutor from proceeding against
 the accused. They knew or should have known that they were violating
 12 clearly established law. Defendant Durham falsely appointed a public defender to speak
 for the plaintiff herein against his expressed objections. She also refused to disclose nature of action.
 13 On February 12, 1999, defendant judge Jean Rietschel

14 joined the above-listed defendants in this action by the following
 acts: 1. Refused this plaintiffs' request to be allowed to enter a plea, (denurrer);
 15 speak as himself without representation; to accept receipt for filing into
 16 the court record a copy of this complaint with affidavit and written plea. This
 17 despite defendant Hightower's directive to put all communications in writing. 2. Proceeded in
 absence of jurisdiction.

18 8. On , 1999, defendant prosecutor
 19 joined the above-listed defendants in this action by the following
 acts:

20 NOT APPLICABLE AT THIS TIME

21 8. On or about July 18, 1999, another unknown State judge issued a capias in violation of CrR 2.5, resulting
 in this plaintiffs arrest and false imprisonment on or about July 19, 1999 (the next day)

22 9. Plaintiff was deprived of substantive constitutionally
 23 protected and inalienable rights (i.e. amendments 4, 5, 6, 13 and 14
 to the constitution for the united States of America).

24 10. Plaintiff has been damaged and injured by the defendants.

25 11. Defendants have violated their oaths of office

12 Defendants have violated the federal and state constitutions
 and the provisions of their job descriptions.

FEDERAL CAUSES OF ACTION

1. Leon Blatt was searched in violation of the fourth article of amendment.

2. Leon Blatt was seized in violation of the fourth article.

3. Leon Blatt was seized in violation of the fifth article.

4. Leon Blatt was imprisoned in violation of the fifth article.

5. Leon Blatt was forced under a condition of peonage for failing to surrender a right in exchange for a privilege in violation of the thirteenth. *(Right to travel in an automobile for privilege of operating a motor vehicle)*

6. Leon Blatt was imprisoned in violation of the fourteenth.

7. Leon Blatt was denied knowledge of nature of action against him in violation of the sixth, and 14th.

8. Leon Blatt's property was searched in violation of the fourth.

9. Leon Blatt's property was seized in violation of the fourth.

10. Leon Blatt's property was searched in violation of the fourteenth, and fourth.

All of the above through the fourteenth.

CONCLUSION

The Plaintiff/victim is entitled to a reasonable expectation that he has the right to enjoy his privacy, to own private property, to travel freely as long as he doesn't hurt another or deprive another of rights or property, to the pursuit of happiness, and the blessings of liberty, that his person and private property be secure from unlawful search and seizure, that he has the right of welfare, and self-determination, that he has the right to receive due process, and equal protection of the law. The Plaintiff/victim is owed monetary and other relief for the damages and suffering caused by the defendants

[prayer]: I demand the following: monetary damages, Attorneys fees, declaratory judgment against all defendants ordering equitable relief in the form of a permanent injunction to abate and desist quasi-judicial and de facto actions and proceedings against the

1 Plaintiff that would cause deprivation of substantive rights causing
 2 irreparable harm.

3 **LEDGER SETTING FORTH MONETARY DAMAGES**

4
 5 The acts of the defendants were criminal in nature and were committed
 6 with aggravated circumstances due to their holding of the public trust and in violation
 7 of their official oaths. 18 USC 241 prescribes criminal monetary penalties for
 8 acts committed in concert with those of other defendants, as these acts were.

9 The statute values such violations at \$10,000 per count per actor;

10 The plaintiff/claimant herein was confined unlawfully for 24 days, suffering
 11 damages in the amount of \$1,440,000.00.

12 The undersigned certifies under the penalty of perjury that the foregoing is true, correct,
 13 certain, not misleading, and is materially relevant, in Seattle Dated this 12th day of February, 1999

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7/11/02 Carl B. Best Leon S. Best

CRIMINAL RULES

CrRLJ 3.2.1

WHERE A BAIL AMOUNT IS SHOWN, THE BREAKDOWN IS:		BAIL	60% PSEA	30% PSEA	TOTAL
480-12-205	Unauthorized Passenger in Vehicle	25	15	7	47
480-12-210	Failure to Display Commission Approved Lease	50	30	15	95
480-12-260	Failure to Display Bill of Lad- ing/Shipping Document	50	30	15	95
480-12-321	Failure to File Log Road Classifi- cation	50	30	15	95
81.90.030	Certificate Required (Mandatory Appearance)				500
81.90.140	Failure to Register Interstate Authority	80	48	24	152
480-35-110					
480-35-120	Failure to Display Valid Identifi- cation Decal	50	30	15	95

[Amended effective November 17, 1989, September 1, 1991; September 1, 1992; June 25, 1993; May 1, 1994; September 1, 1994]

RULE 3.2.1 PROCEEDINGS BEFORE THE JUDGE—PROCEDURE FOLLOWING EXECUTION OF A WARRANT, OR ARREST WITHOUT A WARRANT—PROBABLE CAUSE FOR DETERMINATION—BAIL—PRELIMINARY HEARING

(a) **Probable Cause Determination.** A person who is arrested shall have a judicial determination of probable cause no later than 48 hours following the person's arrest, unless probable cause has been determined prior to such arrest.

(b) **How Determined.** The court shall determine probable cause on the sworn testimony of a peace officer or prosecuting authority. The sworn testimony may be by written affidavit or may be electronically or telephonically recorded, and in any case the testimony shall be preserved.

(c) **Court Days.** For the purpose of section (a), Saturday, Sunday and holidays may be considered judicial days.

(d) **Preliminary Appearance.** *is to be held...*

(1) **Adult.** Unless an accused has appeared or will appear before the superior court for a preliminary appearance, any accused detained in jail must be brought before a court of limited jurisdiction as soon as practicable after the detention is commenced, but in any event before the close of business on the next court day.

(2) **Juveniles.** Unless an accused has appeared or will appear before the superior court for a preliminary appearance, any accused in whose case the juvenile court has entered a written order declining jurisdiction and who is detained in custody, must be brought before a court of limited jurisdiction as soon as practicable after the juvenile court order is entered, but in any event before the close of business on the next court day.

(3) **Unavailability.** If an accused is unavailable for

disability, the court may, for good cause shown and recorded by the court, enlarge the time prior to preliminary appearance.

(e) **Procedure at Preliminary Appearance.** *(at arraignment)*

(1) At the preliminary appearance, the court shall provide for a lawyer pursuant to rule 3.1 and for pretrial release pursuant to rule 3.2, and the court shall orally inform the accused: *(see 11.1)*

(i) of the nature of the charge against the accused;

(ii) of the right to be assisted by a lawyer at every stage of the proceedings; and

(iii) of the right to remain silent, and that anything the accused says may be used against him or her.

(2) If the court finds that release should be denied or that conditions should attach to release on personal recognizance, other than the promise to appear in court at subsequent hearings, the court shall proceed to determine whether probable cause exists to believe that the accused committed the offense charged, unless this determination has previously been made by a court. Before making the determination, the court may consider affidavits filed or sworn testimony and further may examine under oath the affiant and any witnesses he or she may produce. Subject to constitutional limitations, the finding of probable cause may be based on evidence which is hearsay in whole or in part.

(f) **Time Limits.**

(1) Unless a written complaint is filed or the accused consents in writing or on the record in open court, an accused, following a preliminary appearance, shall not be detained in jail or subjected to conditions of release for more than 72 hours after the accused's detention in jail or release on conditions, whichever occurs first. Computation of the 72-hour period shall not include any part of Saturdays, Sundays, or holi-

RULE 2.5 PROCEDURE ON FAILURE TO OBEY CITATION AND NOTICE

The court may order the issuance of a bench warrant for the arrest of any defendant who has failed to appear before the court, either in person or by a lawyer, in answer to a citation and notice, or an order of the court, upon which the defendant has promised in writing to appear, or of which the defendant has otherwise received notice to appear, if the sentence for the offense charged may include confinement in jail. Amended effective September 1, 1991.]

DEFENDANTS

(c) Explaining the Availability of a Lawyer.

(1) When a person has been arrested he or she shall as soon as practicable be advised of the right to a lawyer. Such advice shall be made in words easily understood, and it shall be stated expressly that a person who is unable to pay a lawyer is entitled to have one provided without charge.

(2) At the earliest opportunity a person in custody who desires a lawyer shall be provided access to a telephone, the telephone number of the public defender or official responsible for assigning a lawyer, and any other means necessary to place him or her in communication with a lawyer.

(a) Release in Noncapital Cases. Any person, other than a person charged with a capital offense, shall at the preliminary appearance or reappearance pursuant to rule 3.21 be ordered released on the accused's personal recognizance pending trial unless the court determines that such recognizance will not reasonably assure the accused's appearance, when required, or if there is shown a likely danger that the accused will commit a violent crime, or that the accused will seek to intimidate witnesses, or otherwise unlawfully interfere with the administration of justice. For the purpose of this rule, "violent crimes" may include misdemeanors and gross misdemeanors and are not limited to crimes defined as violent offenses in RCW 9.94A.030. If the court finds that release without bail should be denied or that conditions should attach to the release on personal recognizance, other than the promise to appear for trial, the court shall proceed to determine whether probable cause exists to believe that the accused committed the offense charged, unless this determination has previously been made by a court. Before making the determination, the court may consider any affidavit or affidavits filed or sworn testimony and further may examine under oath the affiant and any witnesses the affiant may produce. The court shall impose the least restrictive of the following conditions that will reasonably assure that the accused will be present for later hearings, will not significantly interfere with the administration of justice and not pose a substantial danger to others or the community or, if no single condition gives that assurance, any combination of the following conditions:

(1) Place the accused in the custody of a designated person or organization agreeing to supervise the accused;

(2) Place restrictions on the travel, association, or place of abode of the accused during the period of release;

(3) Require the execution of an unsecured bond in a specified amount;

(4) Require the execution of a bond in a specified amount and the deposit in the registry of the court in cash or other security as directed, of a sum not to exceed 10 percent of the amount of the bond, such deposit to be returned upon the performance of the conditions of release or forfeited for violation of any condition of release;